

**SHOREVIEW CITY COUNCIL WORKSHOP
MEETING MINUTES
May 9, 2011**

Attendees:

City Council: Mayor Martin; Councilmembers Huffman, Quigley, Wickstrom and Withhart

Staff: Terry Schwerm, City Manager
Tom Simonson, Asst. City Manager/Community Development Director
Kathleen Nordine, City Planner
Tessia Melvin, Asst. to City Manager

Consultant: Kirstin Barsness

Human Rights

Commission: Elaine Carnahan
Mark Frey
Nancy Hite
Julie Williams

Clear

Channel: Rick Sonterre (Former Mayor of Mounds View)

Mayor Martin opened the meeting at 7:00 p.m.

DISCUSSION WITH HUMAN RIGHTS COMMISSION

The Human Rights Commission met with the Council to discuss a proposal for an ordinance to establish a domestic partner registry. The registry would provide unpaired couples a certificate that indicates compliance with the City's definition of a domestic partner and could be used to receive benefits from businesses. Ten municipalities have adopted such ordinances, including four other cities similar to Shoreview: Edina, Richfield, Rochester and St. Louis Park. Minneapolis, St. Paul and Duluth also have a similar ordinance.

Ms. Hite stated that the mission of the Commission is to aid and advise the City in ways to make the community welcoming to all people. Such a registry fits in the same way senior housing is supported to welcome senior citizens, or skate parks to welcome teens. The registry is used for heterosexual couples as well as same sex couples. The registry would define them as couples.

Ms. Williams noted that one category of people who might use the registry would be those not in a sexual relationship, such as two bachelor brothers living together. Domestic partner means two people who come together to create a family and support each other, not necessarily a sexual relationship. One major reason for the registry is that hospitals and emergency personnel are required by law to contact the next of kin. Many people would prefer their domestic partner be

contacted. A registration card would help them. It could be backed with a health care directive. Mayor Martin asked if hospitals are honoring certificates of domestic partners. Ms. Carnahan stated that she has understood they are honored if circumstances are non-life threatening. If a surgical decision is required, or death occurs, they are required to contact next of kin. As a worker in human services, she has seen many instances of domestic partners and blended families. Many people do not want to get married because of child support laws.

Mayor Martin asked what responsibility the City has to make this declaration. What documentation is needed? Ms. Melvin stated that an application and fee would be submitted as with any other certificate. If the relationship dissolves, there would be a process to remove the registration.

Councilmember Withhart stated that this is a small but important step to recognize American freedoms, liberties and rights of citizens. There is confusion in the health field. It is important to not treat a partner as a stranger. If this registry would help in some small way, he would support it. As more and more cities adopt such an ordinance, it will become the norm and gain acceptance.

Councilmember Wickstrom stated she would like to know that it means something and requested more information about hospital acceptance. She is concerned that the ordinance would just be a symbolic gesture. She does not want people to pay a \$50 fee to be on the registry if it does not do any good. Life and death situations must count because they are the most important. If Regions Hospital would recognize the registry, she would support it.

Ms. Williams responded that Regions Hospital may not recognize the registry, but if every city were to adopt such an ordinance, it would have to recognize it.

Councilmember Huffman asked how this ordinance would make Shoreview more welcoming. Ms. Hite responded that a domestic partner registry would be a proactive stand in recognizing that there are people in the community in domestic partner relationships and who would like their relationship formalized. To someone never able to have a relationship validated by anyone, this step is positive and affirming.

Councilmember Huffman expressed concern about wading into social issues with the potential to be divisive and accomplish nothing. It looks like there will be a gay marriage constitutional amendment on an upcoming ballot. Such an ordinance may stir up a lot of discontent.

Mayor Martin stated that the same sex marriage issue cannot be equated with a domestic partner. Businesses all over the state are recognizing domestic partners for benefits. She noted that many social issues have the potential to become contentious. The City has not taken a position on other social issues, such as gun control.

Councilmember Quigley stated that usually government is very sensitive to gateway issues such as this one. There are differences between receiving health coverage and pension coverage, and every hospital will have its own format and forms to allow certain persons to visit. Any couple wanting benefits could participate.

Ms. Carnahan stated that 38% of families in Shoreview are married without children. There are many Hmong families who live together to save money and are not considered legally married in the U.S. Their Americanized children give them validity in the community regardless of financial, personal or cultural reasons. This registry would help them validate their children and feel part of the community. The registry is also really important with all of the divorces that occur. It gives a sense of being established.

Mr. Frey stated that there are two significant factors to consider. The first is whether the registry has caused conflict in other cities. There has been no outcry in any of the cities that have adopted a registry. Secondly, as an embracing, welcoming and inclusive City, Shoreview would be recognizing that there are more than one type of household.

Councilmember Huffman asked how a couple would be defined. Ms. Williams explained that each city can choose to define what is viewed as domestic partnership based on set criteria. Ms. Melvin noted that in Duluth, the majority registered are heterosexual but do not want to get married. In Minnesota, common law marriage no longer exists.

Mayor Martin stated that the purpose is for unmarried couples identified as domestic partners to secure documentation. These couples would have their relationship documented as official whether homosexual or heterosexual. She likes the idea of Shoreview making a statement but also would like it to have more legality. The real test is saying something positive about the community and that domestic partners are recognized and are welcome.

Mayor Martin commended the Commission for their work. It was the consensus of the Council to request more information and research before proceeding.

TAX INCREMENT FINANCING/DEVELOPMENT UPDATE

Presentation by Asst. City Manager/Community Development Director Tom Simonson

There is a good chance that the special authority granted local municipalities regarding TIF may be granted for an additional year by the legislature. However, the special authority currently sunsets July 1, 2011, and the City needs to act as if the extension may not happen.

Stonehenge is a retail developer with an option to purchase six acres on Lexington and Red Fox Road from the City County Credit Union. The credit union paid a premium price, as this purchase took place before the market went down. The credit union purchased the property to develop a branch facility and then sell off the remainder. The credit union has decided not to

build a branch facility on this site. Stonehenge has drafted a concept plan showing a larger pad on the west end for a specialty grocer, a retail area in the center and a third parcel for a potential restaurant or office. Of remaining land left in Shoreview for development, the City sees this site as one of two as a prime retail/commercial area.

The option to purchase the site has been extended for Stonehenge. Stonehenge has requested \$845,000 from the City for development assistance. Two grocers have expressed interest as anchor on the site. One would purchase its site outright, which would give Stonehenge money up front for development. However, the preferred anchor would lease the site. As a result, Stonehenge is seeking an additional \$500,000 to buy down the lease for the preferred anchor.

Mayor Martin asked how the City would be protected and whether the additional money would be a loan or outright grant. She supports the additional request as long as the preferred anchor would be a part of the development.

Mr. Simonson stated that all financing would come from TIF District No. 5 under the special authority allowed until July 1, 2011. With the additional funding, staff recommends creating no new TIF District. Any development would immediately be on the tax rolls. This is the only project far enough along to make use of the available revenues from TIF District 5. A Development Agreement would be required prior to the formal plan approval process. Stonehenge would be required to obtain a preliminary grading permit to begin work on the site by July 1. The funds would then have to be spent by the end of the year. Stonehenge has submitted a proposal package to the preferred anchor, including a detailed retail demographic analysis. A copy has been submitted to the City. The preferred anchor representative will visit the site later in May.

Ms. Barsness explained that Stonehenge will hold the \$500,000 in an escrow account separate from the rest of the funds. A formal agreement must be executed to stipulate all requirements of the developer. The financing would be in two stages. The \$845,000 would be for the retail center to move forward. The additional \$500,000 would be to bring in the preferred anchor. If the preferred anchor does not come in, the \$500,000 would not be released for the development. There has been discussion about moving forward with the retail center, as there are tenants eager to lease space regardless of who the anchor will be.

Councilmember Wickstrom asked whether this would be a good use of TIF 5 money. She asked how soon the City would get back its investment. Ms. Barsness stated that the City would recoup its money within seven or eight years from the tax revenues.

Councilmember Huffman noted that if the money is not used by July 1, 2011, it will be lost to the City. The original use was for renewal and renovation. There will only be \$400,000 available, if the authority deadline expires July 1, 2011.

Mr. Simonson stated that the next step would be to write a development agreement detailing the financial package for consideration by the Council June 19, 2011. On June 12, 2011, the Agreement will be presented to the Economic Development Authority (EDA). The City can grant some site work approval, such as grading, prior to the deadline to get the developer on the property.

It was the consensus of the council for staff to pursue development with Stonehenge and securing the preferred anchor.

DISCUSSION OF BILLBOARD REGULATIONS

City Planner Kathleen Nordine stated that staff has discussed with Clear Channel the relocation of their billboard located on the property proposed to be developed by Stonehenge. Clear Channel has proposed locating the billboard on City property along I-694 and would like to upgrade it to a digital billboard, which is the trend in the industry. Shoreview currently prohibits off-premise advertising. In order to work with Clear Channel to relocate the billboard, an ordinance amendment would be required. Similar to Blaine, staff recommends a lease with Clear Channel, which would bring in revenue.

It was the consensus of the Council to move forward with the ordinance amendment and allow digital billboards. It was recognized that digital billboards will continue to be requested, and they are no more distracting than other signage. The Council generally supports using City-owned land for lease to generate revenue. Staff will draft a new ordinance that meets City standards.

OTHER ITEMS

Vikings Stadium

The Council discussed the fact that the Mayor wrote a letter to County Commissioner Bennett 10 weeks ago regarding the proposed Vikings Stadium for the TCAAP property. No answer has been received.

Councilmember Withhart noted that the road improvements needed are the same ones Shoreview supports and are now in the planning stage. The stadium development would speed up the needed improvements.

Mr. Schwerm stated that when Target Center was built, Minneapolis was taken out of the planning loop and gave it to a stadium authority. That same model is being used with the Vikings Stadium. The issues for Shoreview are property cleanup, transportation, noise, crime, and environmental issues. One major concern is what happens to County Road I. The City is in contact with Mn/DOT regarding this intersection.

I 694 East of Lexington

Mayor Martin reported that one issue is about a sound wall and Mn/DOT's responsibility to build one. The Appeals Board has told Arden Hills and Mn/DOT they have two weeks to work out their own solution. If there is no solution, the Appeals Board will issue a ruling within 60 days. Mn/DOT has agreed to create a bridge at Lexington for a pedestrian crossing.

Councilmember Wickstrom stated that there is no reason for a pedestrian bridge, if Arden Hills does not continue the trail.

Yellow Ribbon Organization

Councilmember Wickstrom stated that an organizational meeting will be held in Roseville at the Oval at 7:00 p.m. on May 10, 2011. She plans to attend. The purpose of the organization is to honor and help military families. She suggested Shoreview have a similar display to Arden Hills with a listing of every person serving overseas.

Councilmember Quigley stated that Yellow Ribbon has a whole array of services and projects to work on and support. The Council will need to consider resources and what to participate in. Yellow Ribbon has stimulated a lot of action in several cities.

The meeting adjourned at 9:10 p.m.